

HOUSE JOINT RESOLUTION 779
By DuBois

A RESOLUTION to propose an amendment to Article I, Section 21, of the Constitution of Tennessee, relative to the exercise of the power of eminent domain.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that a majority of all the members of each house concurring, as shown by the yeas and nays entered on their journals, that it is proposed that Article 1, Section 21 of the Constitution of Tennessee be amended by adding the following new paragraph thereto:

The exercise of the power of eminent domain by a governmental or other entity authorized to condemn and take the private property of an individual, including a natural person, corporation, partnership or other such entity, but excluding a governmental or quasi-governmental entity, and then selling, leasing or otherwise transferring the property taken to another individual, including a natural person, corporation, partnership or other such entity, but excluding a governmental or quasi-governmental entity for the purposes of retail, office, commercial, or residential development, is not a "public use", f or "public purpose" for, such property within the meaning of this section and is prohibited.

BE IT FURTHER RESOLVED, that the foregoing amendment be referred to the One Hundred Fifth General Assembly and that this resolution proposing such amendment be published by the Secretary of State in accordance with Article XI, Section 3 of the Constitution of Tennessee.

BE IT FURTHER RESOLVED, that the Clerk of the House of Representatives is directed to deliver a copy of this resolution to the Secretary of State.